

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LIZABETH J. AUGUSTINE,

Plaintiff,

- against -

AXA EQUITABLE LIFE INSURANCE
COMPANY,

Defendant.
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Case No. 07 Civ. 8362 (RWS)(DFE)

To: Dorothy Rosensweig, Esq., Epstein, Becker & Green, P.C., 250 Park Avenue, New York, NY 10177 (via fedex)

Please take notice that for reasons set forth in the accompanying Memorandum of Law and Affidavit of Betsy K. Silverstine, dated May 29, 2008, Plaintiff Lizabeth J. Augustine ("Plaintiff"), by and through counsel, The Roth Law Firm, PLLC, located at 545 Fifth Avenue, Suite 960, New York, New York 10017, will move this Court on **Wednesday, July 2, 2008 at 12 p.m.**, before the Honorable Judge Robert W. Sweet, at the United States District Court, Southern District of New York, located at 500 Pearl Street, New York, New York 10007, to amend her first Complaint pursuant to 15(a) and 16(b) of the Federal Rules of Civil Procedure. Plaintiff represents that prior to filing this motion, she attempted to obtain written consent to amend her first Complaint.

Dated: New York, New York

May 29, 2008

THE ROTH LAW FIRM, PLLC

By: Betsy K. Silverstine
Betsy K. Silverstine (BKS 1015)

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